



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, सोमवार, 16 जुलाई, 2007/25 भाषाव, 1929

हिमाचल प्रदेश सरकार

REVENUE DEPARTMENT
(Project Cell)

NOTIFICATION

Shimla-2, the 11th June, 2007

No. Rev (PD) A (9)-5/06.—The Governor, Himachal Pradesh is pleased to notify the Resettlement and Rehabilitation Scheme for the Project affected families of Sorang (100MW) Hydro Electric Project as per Annexure-A.

By order,

Sd/-
ACS-cum-Secretary (Revenue).

RESETTLEMENT AND REHABILITATION SCHEME FOR PROJECT AFFECTED FAMILIES OF SORANG (100MW) HYDRO ELECTRIC PROJECT

Whereas for construction of Sorang Hydro Electric Project (100 MW), besides Government land, private land has also to be acquired by the State Government for handing over to the Project Authority. Due to acquisition of private land for the Project, many families will be affected, though none is houseless and landless.

And whereas to protect the interests of the Project Affected Families, adequate arrangements for the Resettlement and Rehabilitation have to be made in accordance with Rule 8 A of the Himachal Pradesh Nautor Land Rules, 1968, which provides for framing of a special scheme for Resettlement and Rehabilitation of persons who are displaced as a result of anything done for any public purpose.

Now, therefore, the Government of Himachal Pradesh and M/s Himachal Sorang Power Private Limited hereby make the following scheme for Resettlement and Rehabilitation of persons affected on account of acquisition/private negotiations/lease of land and other immovable properties under the Land Acquisition Act, 1894 or other wise for the construction of Sorang Hydro Electric Project (100 MW).

PART-I

1.1 This scheme may be called for Resettlement and Rehabilitation Scheme of M/s Himachal Sorang Power Private Limited for the Project affected families of Sorang Hydro Electric Project (100 MW), (hereinafter called R & R scheme for Sorang (HEP).

1.2 It shall extend to the whole of area affected or likely to be affected as a result of construction of Sorang Hydro Electric Project (100 MW), within Nichar Tehsil of Kinnaur District of Himachal Pradesh.

1.3 The Commissioner for Resettlement and Rehabilitation appointed by the State Government for supervision the relief and rehabilitation works of various Projects in Himachal Pradesh would also be the Commissioner for Resettlement and Rehabilitation under this Scheme. The Resettlement and Rehabilitation works shall be carried out under his direction and guidance.

1.4 The Deputy Commissioner, Kinnaur in whose jurisdiction the Project Affected Area falls, will be the Administrator for Resettlement and Rehabilitation.

1.5 In this Scheme, unless the context otherwise requires :

(a) Family :

“Family” means husband/wife of the person who is entered as owner/co-owner of land in the Revenue Record, their children including step or adopted children, grand children and includes his/her parents and those brothers and sisters who are living jointly with him/her as per entries of Panchayat Parivar Register as on the date of Notification under Section 4 of the Land Acquisition Act, 1894.

Explanation.—Only the Panchayat Parivar Register Entry, as it stood on the date of Notification under section 4 of the Land Acquisition Act, 1894, shall be taken into account for the purpose of “Separate family” for rehabilitation benefits as well as for consideration of employment.

(b) Project Affected area/Affected zones means area as notified by Deputy Commissioner Kinnaur, where land is acquired for construction of any component of project, infrastructure, township, offices, construction facilities welfare facilities etc. for the Project. Unit for declaring Project affected area would be Revenue Village.

(c) Project affected family (PAF's) :

The Project Affected Family means a family/person whose residence or other properties or source of livelihood are affected by the process of acquisition of land for the project and who has been residing continuously for a period of not less than three years preceding the date of declaration of the Project Affected Area/Affected Zone or practicing any trade, occupation or vocation continuously for a period of not less than three years in the Project Affected Area/Affected Zone, preceding the date of declaration of the affected Zone.

Explanation.—The date of declaration will be taken as date of notification under section 4 of the Land Acquisition Act, 1894. The period of residence of not less than three years will not be applicable in respect of PAFs who own land in the Project Affected area. The Deputy Commissioner Kinnaur would determine the period of residence of not less than three years as well as effected on source of livelihood.

(c) (i) Project Affected Family rendered Landless:

The Project affected family rendered landless means that family whose agricultural land is acquired for the Project and in whose case balance agriculture land left after acquisition is less than 20 (Twenty bighas).

For this purpose agriculture land held within the project area by all such persons and their family member shall be reckoned. The landless project affected family shall be certified by the Deputy Commissioner, Kinnaur.

(c) (ii) Project Affected Family rendered Houseless:

The Project Affected Family rendered houseless means the family whose dwelling house is acquired for the Project. This will be certify by the Deputy Commissioner Kinnaur.

(d) Shopkeepers Displaced by the Project:

“Displaced Shopkeeper(s)” means the shopkeeper(s), who had taken shop(s) on rent and had been genuinely running business therein as on the date of issuance of notification under section 4 of the Land Acquisition Act, 1894 and whose such shop(s) is acquired for the Project or the shop owner who was himself running his business in such shop(s).

(e) Project Authority :

“Project Authority” in normal connotation refers to Project developer or Project proponent e. g. State Government or Public Sector Under taking implementing a Project, etc. i. e. M/s Himachal Sorang Power Private Limited in this case.

- (f) Words and expressions used in this scheme, but not defined herein shall have the same meaning as assigned to them in the Himachal Pradesh Nauter Land Rules, 1968.

PART-II

Sanction of rehabilitation grant, infrastructural grant or facilities and grant to the project affected families rendered landless or houseless or both.

2.0 Resettlement Grant :

2.1 The Project affected family whose land has been acquired shall be eligible for resettlement grant in the following manner:—

1. Family whose land acquired for the Project was more than 1 bigha Rs. 1,10,000.
2. Family whose land acquired for the Project was less than 1 bigha Rs. 1,00,000.
3. Family whose cattle shed is acquired in the Project area, shall get one time financial assistance Rs. 20,000.

2.2 Each Project affected family, which is rendered houseless will be provided an independent house with a built up plinth area of 60 sqm. on a plot of 5 biswas. Alternatively PAF can also be offered a plot of size, which allows construction of built up house of 60 sqm. Plinth area plus construction cost of the house @Rs. 4500 per sqm. A family, which does not opt for house/plot but constructs his house at his own cost shall be paid the construction cost of the house @ Rs. 4500 per sqm. for a house of 60 sqm. In addition to this cost of 5 biswas of land will be paid by the Company. The rate will be the same on which company had bought the land.

2.3 Displaced shopkeeper will be given shops in allotment in the market complex of the project colony wherever the project authority constructs such market places. The shops so given shall be Pucca shops with minimum size of 10X15' or size equivalent to it. In addition to this they will be entitled to one time displacement grant of Rs. 30,000. They or their successors in interest for bonafide use shall utilize the commercial premises/shops allotted to such displaced shopkeepers only. In case the Project is unable to provide shops, displaced shopkeepers (owner's of the shops) shall get Financial Assistance of Rs. 75,000.

2.4 Infrastructural facilities in the Rehabilitation colony will include water supply, sewerage, drainage, electricity, streets and approach paths/ roads at the Project cost.

2.5 Transportation at the Project cost will be provided for physical mobilization of all the PAFs and displaced shopkeepers, as soon as the houses/shop get constructed in the Rehabilitation colony or a sum of rupees 6,000/- in lump sum shall be given in lieu and the option will be invited from the affected families/shopkeepers regarding this in advance.

2.6 Stamp duty and other fees payable for registration shall be borne by the Project Authority. The Deputy Commissioner Kinnaur will be the sanctioning authority for resettlement grant which shall be provided by the Project Authorities and placed at the disposal of the Deputy Commissioner for disbursement to the eligible concerned.

Note.—All the above grants shall be in addition to the compensation paid under Land Acquisition Act, 1894.

3.0 Employment :

3.1 One member of each Project Affected Family rendered Landless will be provided employment by the Project Authority in the category of skilled/semi-skilled/unskilled workmen

subject to fulfilling the requisite criteria/qualification. It would be assured that land oustees eligible for employment as mentioned above are given chance first and normal recruitment would be made only if none are available from amongst them. In that case people of the Project Affected Area shall be given preference. The Project Management shall provide appropriate training in time to the landless eligible persons so that trained persons as per requirement of the project could be prepared. The company will supply list of all types of posts which company fill up with salary etc. to the Deputy Commissioner. The following criteria will be adhered to by the Deputy Commissioner concerned for providing of preference while sponsoring the names for employment.

- (a) Families whose land acquired for the project was more than 1 bigha of land.
- (b) Family whose land acquired for the project was less than 1 bigha of land.
- (c) Family whose dwelling house was acquired for the project.
- (d) Family whose shop was acquired for the project.
- (e) Family whose cattle shed was acquired for the project.
- (f) Others in the Project affected area shall also be included if found eligible.

Within these categories preference will be given on the basis of quantum of land acquired. Those who lost more land will come first.

Company will keep 70 % jobs reserved for Himachalis.

3.2 Secondary Employment :

There may be families who are not covered under the project affected family rendered landless/houseless/shopless as given at 1.5 (c) (i), (c) (ii), (iii) and (d) but their land is acquired for the project, they shall have to be helped in starting some gainful occupation of getting training. Therefore, such families who may not be accommodated in direct employment, the project authorities will help them in any one of the following manners :

3.2.1 The Project authorities will consider to award petty contracts to these persons, co-operatives of eligible families on preferential basis so that they may be engaged in such jobs. Further the Project Authorities will advise their contractors to engage eligible persons from affected families on a preferential basis wherever possible during construction stage.

3.2.2 The Project Affected Families (including rural artisans/small traders and self employed persons) will be assisted to start various suitable self-employed occupations which include daily farming, poultry, weaving, bakery, handicraft, cottage industries units/shops and hiring of vehicles to the Project Authority as per Scheme to be drafted by them. The Project Authority will help them under the project framed by Deputy Commissioner by giving them seed capital.

"Only those families who have not been provided with employment in the Project or have not been allotted any shop will be eligible for this grant".

* **Explanation.**—The Deputy Commissioner Kinnaur will certify that their source or livelihood in case of rural artisans, small traders and self employed persons have been adversely affected only then will be eligible.

3.2.3 The Project Authority will provide support service for Project Affected Families inserted in horticulture, agriculture and veterinary.

PART-III

4.0 Community Development/Social responsibility :

4.1 Project affected areas/villages, after due assessment done by the committee constituted under the Chairmanship of the Deputy Commissioner will be provided with infrastructural up-gradation scheme which will include :—

- Mobile Health Centre/Van
- Approach roads
- Internal roads
- Drinking Water Supply Schemes
- Community Welfare Centres
- Facilities Furniture/Lab Equipment etc. for schools
- Merit scholarships
- Play ground
- Sanitation facilities
- Street Lighting
- Agriculture/horticulture camps & facilities

4.2 The Project authority will pay Rupees 10 Lacs annually as the Social responsibility towards the affected area to the Deputy Commissioner, Kinnaur after start of generation of electricity. The Deputy Commissioner will sanction schemes out of these funds in affected village.

4.3 Free of cost LPG gas cylinder to each project affected family would be provided the Project Authority.

4.4 Fatherless & Motherless girls of affected area will be paid an amount of Rs. 51,000/- at the time of their marriage. And only Fatherless girls of the affected area will be paid an amount of Rs. 31,000/- at the time of their marriage by the Project Authority.

4.5 Infrastructural Facilities ;

The Project Authorities will build such infrastructural development works in the vicinity of the Project area that may be essentially required for the construction of the project and or benefit the local population. These works may be mutually decided with Government of Himachal Pradesh.

4.6 An amount of 5 lacs for scholarship to the boys and girls of Project affected families (PAPs)/area will be paid annually by the Project authority to the Deputy Commissioner Kinnaur. The Deputy Commissioner will sanction scholarship out of this fund on merit-cum-poverty basis.

4.7 The Project Authority will pay monthly salary of one Home Guard to be deployed on security duty for the safety of Rupri temple till completion of the Project Work.